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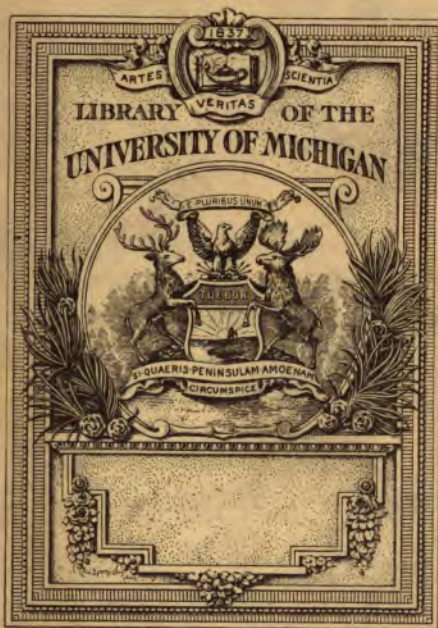
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Address
of
H. B. Rice
on the
Commission Form of Government

November 18, 1908



THE GIFT OF

Houston City Clerk



OF

H. B. RICE

**MAYOR OF
HOUSTON, TEXAS**

ON THE

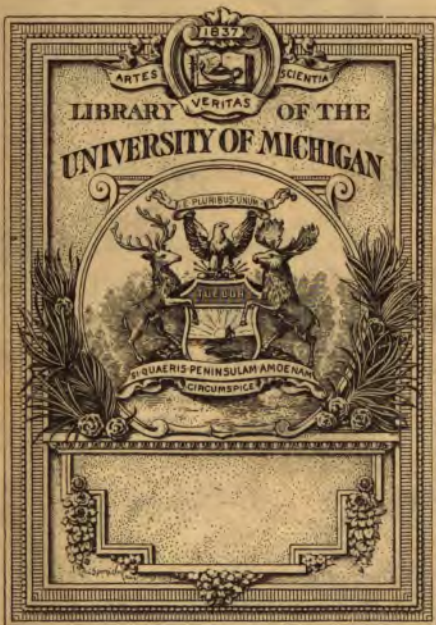
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***Delivered at Charlotte, N. C.
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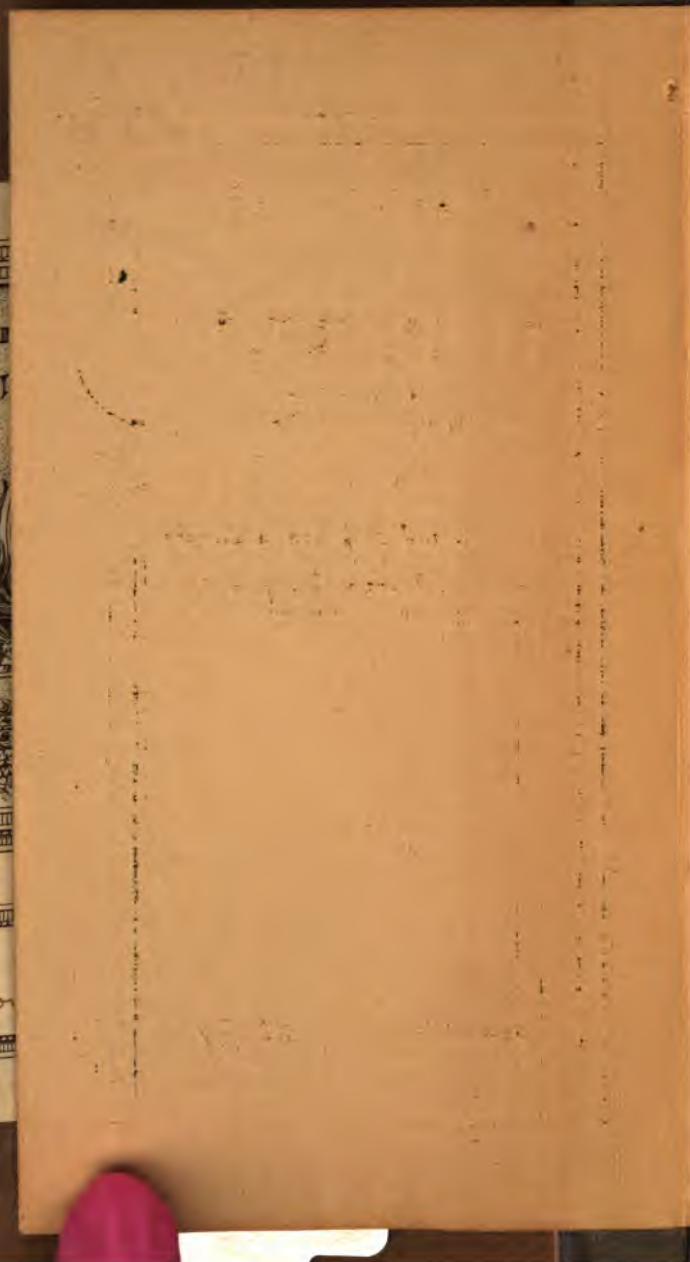
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Release. MVP 2-1-32

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*Commission Form of
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Delivered at Charlotte, N. C., November 18, 1908



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I am here today upon the courteous invitation of your Mayor to discuss municipal government, a government which appeals more directly to the people of cities than either State or Nation, and especially to discuss that particular government in Houston, Texas, which is known as a "Commission Form of Government." Aside from the honor of the invitation extended, which is highly appreciated, it is a great pleasure to me to visit Charlotte.

Every gentleman born and raised in what we call the Southern States loves and reveres their memories and traditions, and, although the recipient of many invitations to visit other cities and speak upon this subject, none has given me more pleasure than to accept one from this historic city of the gallant pioneer State of the old South.

My friends, the subject of my discussion is the commission form of government in Houston, Texas, and how it works.

But before I enter into this matter, I will state that many good and honest men who hold municipal positions in other forms of govern-



ment seem to think it a reflection upon them to advocate this change of city government, and I wish to assure them I am not here to criticise any one, but to speak of experience and to exchange ideas.

The essential difference between the form of municipal government which has prevailed in Houston since the passage of the charter of 1905 and the old form of municipal government which has generally prevailed throughout the United States heretofore are about three.

The substitution of a smaller number of aldermen elected from the city at large in place of a large number of aldermen elected from different wards or subdivisions of the city; the vesting of a co-ordinate power in the Mayor as in the City Council to dismiss any officer of the city government, except the Controller, at any time, without cause, and the essential provisions safeguarding the granting of municipal franchises.

HAVE FOUR COMMISSIONERS.

1. Instead of a body of twelve aldermen, elected from different wards or subdivisions of the city, under the Houston system four aldermen are elected from the body of the city by the vote of all the citizens in the same way in which the Mayor is elected. These four aldermen, together with the Mayor, constitute the City Council or legislative department of the city government. The executive power is vested in the Mayor, but by an ordinance for the administration of the city's affairs, a large portion of executive or administrative power is subdivided into different departments, and a committee is placed over each department, and

one of the four aldermen nominated by the Mayor is what is known as the active chairman. The Mayor and all four aldermen are members of each committee. The active chairman of the committee practically has control of the administration of the department, unless his views upon the matter are overruled by the whole committee, but by the organization of the committees the active chairman does his work to a certain extent under the supervisory direction of the Mayor, who is in the last analysis the head of each committee and the person in whom the executive power of a municipal government ultimately rests.

Under the old system of government, by which twelve aldermen were elected from as many different precincts of the city, it frequently resulted that very unfit men came to represent certain wards in the City Council. Now, unless a man has sufficient standing and reputation to be known throughout the body of the city as a fit man for the office of alderman, he will not be elected.

EACH RESPONSIBLE TO ALL.

Again, each alderman under the present system represents the whole city, and is responsible to the whole city. Under the old system the conduct of public business was continually obstructed by a system of petty log rolling going on among and between the representatives of the numerous subdivisions of the city. And the smallness of the number of aldermen affords opportunity for the transacting of business.

An executive session is held previous to each meeting of the City Council, at which most mat-

ters to come before the Council are discussed and determined. Again, the small number of aldermen enables the city administration on any and all matters of importance to act as a unit. In other words, the system makes it possible to administer the affairs of the city in a prompt and business-like way.

Here is one of, if not the strongest points in the commission government. You all know that if there is any one thing more than another that a citizen desires from his local government, it is action, whether favorable or unfavorable.

In the City of Houston, with a majority of the aldermen always in session, business of the people can and is attended to at a moment's notice. To show the practical application of this system, there is really no need of petition to the City Council at their regular weekly meetings.

Any citizen or citizens who want a street paved, taxes adjusted, nuisance abated, etc., have only to call at the Mayor's office and have his or their matters promptly adjusted. After a patient hearing, the matter is decided by the Council in presence of the applicant, and to the credit of our people, I will state, the matter is ended after such, whether action was favorable or unfavorable. How unlike the slow, red tape form of doing business in many of our cities.

For instance, the petition to the City Council, referred to a committee, committee acts when convenient, then a report to the Council, and after action of the Council, up to the Mayor, then after the Mayor acts, to some one else for execution.

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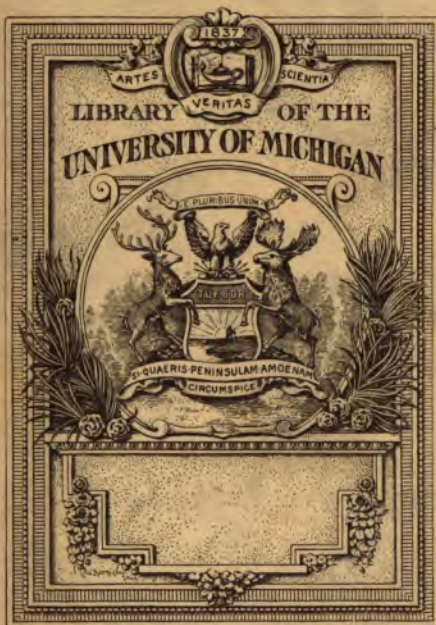
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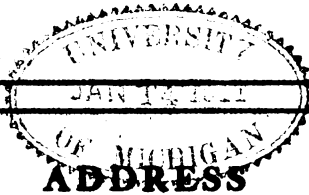
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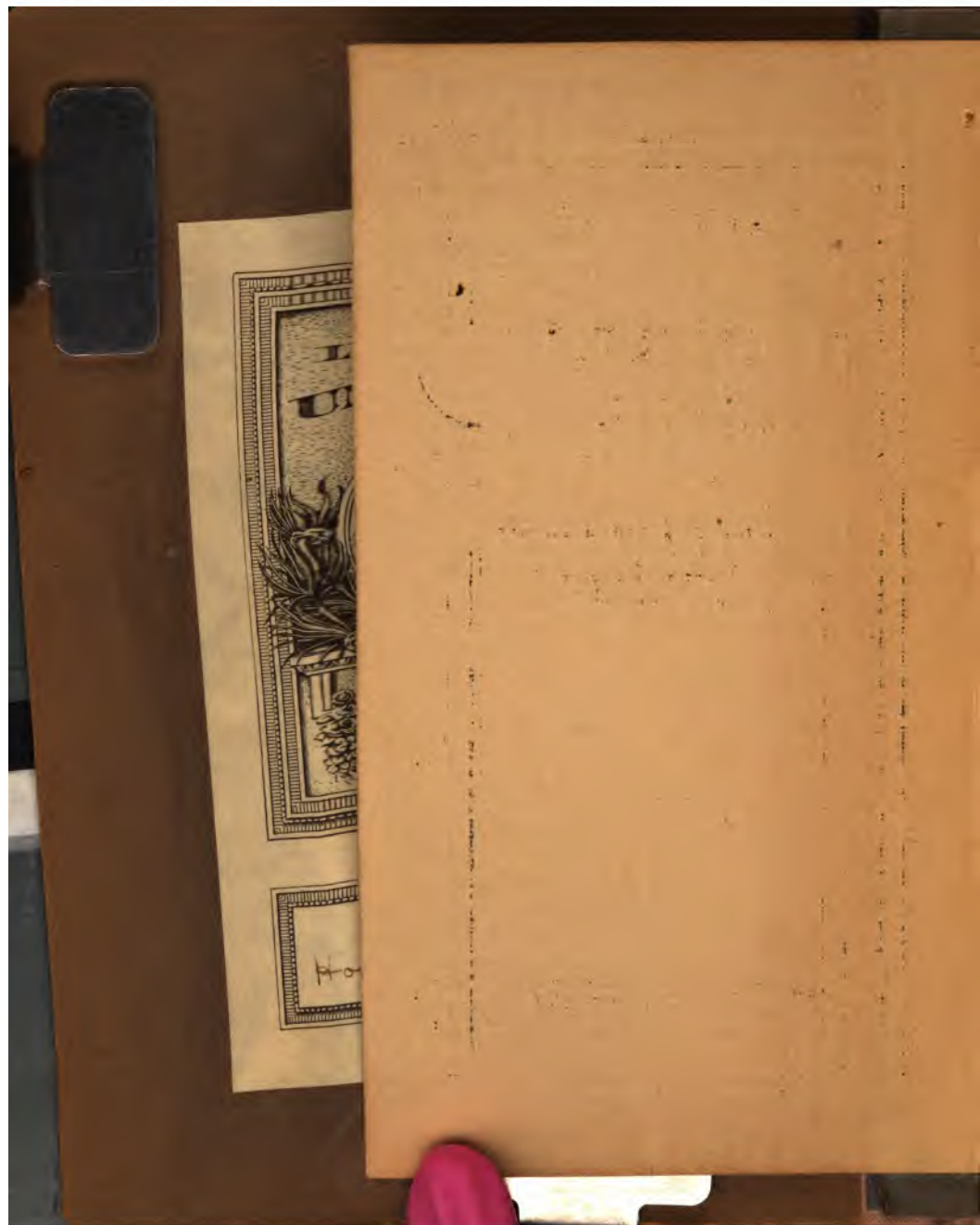
MAYOR OF
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Delivered at Charlotte, N. C.
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The second essential point of difference in the city charter is the fact that any officer of the city, except the aldermen, who are elected for



a term of two years, and except the Controller, who is appointed for a term of two years, and subject to removal by the Council only for cause, may be removed from office at any time at the will of the Mayor, or may be removed from office at any time at the will of the Council. Under the Houston system, the City Attorney does not refuse to collect taxes, and say to the city government that he is not in favor of collecting taxes and was elected by the people and is responsible to them. Under the Houston system the Chief of Police does not refuse to enforce the criminal ordinances of the city and give the same excuse for declining to do so. Under the Houston system, the Tax Assessor can not arbitrarily select what persons he is to exempt from the payment of taxes, and inform the city government that the people elected him, and that he is responsible to the people. The Mayor, under the Houston system, is the responsible head of the government. If things are permitted to go wrong, it is his fault, and if any officer of the city declines or refuses to enforce the law, the Mayor can remove him in five minutes' time. Under this system of government it is important that the people should elect a Mayor who is a man of good sense and good character. When the people have done so, the Mayor will not have to be, as under the old system, a helpless spectator of wanton disregard of law and maladministration. The whole idea of the Houston system is to have a responsible head to the government of the city elected by the people.

POWER ALMOST ABSOLUTE.

Under the Houston charter, the power of the Mayor is almost absolute. As stated before,

with the exception of the Controller and aldermen, every employe of the city can be discharged at a moment's notice by the Mayor. What is the result of this power, as shown in Houston? A harmonious, systematic corps of employes performing their duty. Each and every one of them working for the interest of the city, for if they do not, they know some one else will occupy their place who will do their duty.

This unusual and great power given one man has been frequently criticised; some argue that it is undemocratic, and some argue that it is dangerous.

Answering the first criticism, I will state that nothing can be undemocratic which comes directly from the people and answers directly to the people. The second objections, as being dangerous, I say no honest or good man will abuse the power vested in him, and a bad man should not be elected by a people who want good government.

Why did the people of Houston ask the Legislature of Texas for such a city charter, making what some are pleased to call "A one-man government?" Because for years and years under the old system they had seen nothing but political bickering and their taxes squandered.

Debt after debt was being created and nothing to show for the moneys paid into the treasury. At the time of the charter adoption the people of Houston were in that frame of mind to accept any form or kind of change in their government, knowing full well that they could do nothing worse than to continue what they had.

DEPARTMENTS SUBDIVIDED.

At the inauguration of the commission government, in July, 1905, we subdivided the departments of the city and placed at their respective heads the commissioner who seemed best qualified to manage a certain department. And in doing so gave them each the power and authority vested in the Mayor. This act has proven most beneficial. As a rule, each commissioner takes a deep interest in his department, has it well organized and manages the same as any well-regulated business concern. There is very little friction at any time. While the elective officers of the city are all Democrats, belonging to that party which is so dominant in Texas, the commission does not confine their employes to any one political party, but selects men for their fitness. We have a great many good business men in Houston who are Republicans in politics and pay large taxes to the support of the government. We try to make our local government a non-partisan one, and endeavor to act for the masses.

LEGISLATE FOR NO CLASS.

For instance, on the School Board of Houston, the Democrat, the Republican, the Israelite and the Christian all sit together without compensation and ably manage our school affairs. We legislate for no class. Union labor and non-union labor both work for the city. We never inquire whether any employe is union or non-union, but we do insist upon every employe understanding that the City of Houston comes first and his organization second. If a commissioner of the city discharges one of his employes in his department, the action is final.

AN appeal to the Mayor will do no good, for as long as the head of the department manages and works conscientiously for the city, the Mayor sustains him and leaves him with absolute authority. This causes the employe to respect the head of his department, and hence we have little or no trouble. So it is with the police. The Council selects a Chief of Police and holds him responsible for the conduct of his men. No alderman can appoint a man on the police force. The selection of all policemen is left to the Chief of Police. He alone can appoint. By this method politics in the force is obliterated. The men look up to and respect the head of their department, for a Chief of Police without authority would mean no discipline, no respect for duty.

POLITICS OBLITERATED.

The commission government in Houston has entirely obliterated politics from the public schools for the first time in many years. The School Board is nominated by the Mayor and confirmed by the Council. They in turn select a School Superintendent. The teachers are selected for their fitness. No alderman can even suggest the name of a teacher to the Board. All we have to do is to supply the revenue to maintain the schools. Our connection with the administration of the schools begins and ends here.

You may ask now, what has your government done to improve the moral condition of Houston? We have wiped out public gambling; we have obliterated the pool room, which has caused the downfall of so many unfortunate young men; we have forced the saloons of Hous-

ton to obey the laws of Texas, mainly to close their places of business upon the Sabbath day; we have confined those unfortunate women to one territory, where they will not come in contact with and pollute the presence of purity; we have abolished variety theaters.

MUNICIPAL FRANCHISES.

The third and most important departure of the Houston charter is in the matter of municipal franchises. I will state briefly the main features of the franchise provisions, and anyone familiar with municipal affairs will at once see their value.

No franchises can be granted for a longer period than thirty years, unless same is submitted to a vote of the legally qualified voters of the City of Houston and approved by them. The expense of this election must be borne by the person applying for the franchise. If a majority of the votes is favorable, the franchise may be granted in the form as submitted, but can not in any case be granted for a period longer than fifty years.

The City Council may, on its own motion, submit any ordinance granting a franchise to the vote of the people of the city.

If a franchise be granted for a period of thirty years, or less, the proposed franchise shall be published in the form in which it is finally passed and shall not thereafter be changed, once a week for three consecutive weeks, at the expense of the applicant. And if at any time within thirty days after its final passage a written petition is presented to the Council signed by at least 500 legally qualified voters of the city, then such franchise must be

submitted to an election of the people to determine whether or not it shall be granted.

No franchise in the streets, highways, thoroughfares or property of the City of Houston shall ever be granted until it has been read at three regular meetings of the Council.

REVENUE FROM FRANCHISES.

No franchise shall be granted unless the ordinance granting same provides for adequate compensation or consideration therefor to be paid to the City of Houston, and in addition to any other form of compensation, the grantee shall pay annually such a fixed charge as may be prescribed in the franchise.

Every grant of a franchise shall provide that on the termination of the grant the property of the grantee in the streets, avenues or other public places shall thereupon, without compensation, or upon the payment of a fair valuation therefor, become the property of the City of Houston, and in estimating such value the value derived from the franchise, or the fact that it is or may be a growing concern, shall not be considered in determining the value.

Every grant of a franchise shall provide, by forfeiture of the grant or otherwise, for efficiency of public service at reasonable rates, and to maintain the property in good order.

The city may inspect and examine, at reasonable hours, any books or account of the grantee of a franchise, which books or account shall be kept and reports made in accordance with the forms prescribed by the City Council.

MAY REGULATE RATES.

The charter reserves the right in the City of

Houston to regulate the rates of all public utility corporations.

It is to be noted that by the Constitution of Texas, no person can vote unless, prior to February 1st of the year in which he offers to, he has paid in person his poll tax. This provision eliminates many persons who would abuse the suffrage. Of course, in a community where unrestricted manhood suffrage prevails, with no checks or restrictions on same, the chances for the successful operation of a municipal government like that of the City of Houston would not be as good as in the State of Texas.

We have in our charter what is called the referendum. That is, if 500 qualified voters of the city petition the Council to call an election to determine the granting of any particular franchise, it is incumbent upon the Council to do so.

Some cities which have lately adopted the commission form of government have placed in their charter "the initiative, the referendum and the recall."

DON'T LIKE "RECALL" SYSTEM.

In my opinion, the "recall" is an inheritance of populism, and has no place in a business government. It is a difficult matter to induce good men to give up their personal interests and work for the public good. The term of office in Texas is two years.

This is such a short period that a Mayor and aldermen hardly have the opportunity to prepare plans and systematize the government before their term of office expires.

Far better for a community would it be for them to say to their elective "officers," we have

chosen you for two years to manage our affairs, and will give you our entire support, and if at the end of your term you have made good, we will retain you in your present office; if not, we will elect other managers. With the recall held over a man's head it would be impossible to outline a definite policy and adhere to it, and if men can not accomplish results they will not care to serve.

Having discussed the cardinal features of the Houston charter, I will give you a synopsis of what has been accomplished in little over three years of commission management.

Inaugurated in July, 1905, the present government found a floating debt of over \$400,000, and an empty treasury. The city virtually had no credit. There was not a single merchant that desired to transact any business with the local government.

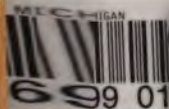
However, gloomy as the prospect was, the authorities went about their task with the determination to better conditions.

Useless and expensive offices were abolished, some consolidated. A national bank was made treasurer of the city, allowing a salary of only \$50 per month for clerk hire and the bank to pay interest on all balances to the credit of the city.

COLLECTION OF TAXES.

The City Attorney was instructed to institute and file suits for all delinquent taxes. This caused to flow into the treasury nearly \$100,000 in eight months, from this source alone.

By the strictest economy we redeemed in the first eight months of our term \$306,202.47 of the old floating debt, besides paying our monthly



bills promptly, as well as the salaries of all employees.

By this time merchants of the city were anxious to do business with the city local government, and credit was restored, not only at home, but abroad. In the three years of commission rule the City of Houston has wiped out all floating debt and has given to the taxpayer out of the treasury, without the issuance of a single bond, the following permanent improvements:

School buildings	\$137,320.71
Paved streets	210,760.47
Sewers	51,102.87
Fire engine houses.....	12,250.00
Fire station sites.....	2,250.00
Parks	49,300.00
Deepening Buffalo Bayou.....	50,163.75
Water improvements	113,229.27
Block book system for Assessor and Collector	10,000.00
Sinking fund	63,522.15
Opening streets	647.75

Making a total of.....\$701,026.74
of permanent improvements, besides the elimination of the floating debt, amounting to over \$400,000.

It is the first time in the history of Houston that a sinking fund has been created. While these improvements have been going on, the tax rate has been reduced 20 cents on the \$100.

SYSTEMS COMPARED.

When the present commission assumed charge of the city in 1905, the price of gas was \$1.50 per 1,000 feet. Now it is \$1.15 per 1,000 feet, the lowest rate of any city in Texas. In July, 1905, the price of arc lights for city lighting was \$80 per year. Now they are \$70 per year.

These reductions have been made without friction or litigation. The commission believes that all public utility corporations have a right to earn a just and fair dividend on their legally issued stocks and bonds. We regulate, but do not oppress them; in fact, encourage capital to come to Houston.

My friends, the City of Houston is very prosperous and rapidly growing. In the last sixty days nearly \$3,000,000 of building permits have been issued. The spirit of progress is dominant and the taxpayer has not only confidence in the future of his city, but in his form of municipal government.

I have tried to outline the Houston government and what it stands for.

If this article is of any benefit to you, as I wrote your worthy Mayor, I am more than compensated for the time and expense incurred visiting your beautiful city.

Students of government everywhere realize and see that the vulgar idea of politics and its demoralization originates in the loose methods and questionable acts of some municipal officers responding to some "pull" or "influence." But civic pride is awakening. Voters are beginning to insist upon returns for their taxes, and when voters and taxpayers insist, officers will and must respond.

Municipal politics must be purified, and municipal business must be transacted as other business is done. College presidents are aiding in this education. Taxpayers are eagerly advancing. Let us all contribute our energies, our observations and our moral support to the great movement for purification of municipal politics, sane transaction of municipal business and the building of the "City Beautiful."